

INITIALS \_\_\_\_\_

## ***LUNENBURG PLANNING BOARD TOWN OF LUNENBURG***

Emerick R. Bakaysa, Chair  
Joanna L. Bilotta-Simeone, Vice-Chair  
Thomas W. Bodkin, Jr., Clk.  
Robert J. Saiia, Mbr.  
Nathan J. Lockwood, Mbr.  
Marion M. Benson, Planning Director



Tel: (978) 582-4147, ext 5  
Fax: (978) 582-4353  
960 Massachusetts Avenue  
Lunenburg, MA 01462

Minutes  
July 9, 2012

Meeting Posted: Yes  
Place: Town Hall, 17 Main Street, Lunenburg, MA 01462  
Time: 6:30 PM

Present: Emerick R. Bakaysa, Joanna L. Bilotta-Simeone, Thomas W. Bodkin Jr., Robert J. Saiia, Nathan J. Lockwood, Marion M. Benson

**APPROVAL- Minutes:** Motion to approve minutes of June 25, 2012, Ms. Bilotta-Simeone, Second, Mr. Saiia, minutes signed.

### **NOTICES & COMMUNICATIONS:**

Director noted Zoning Board of Appeals notice of public hearing for 68 Oak Avenue to add accessory in-law apartment to existing home on a parcel containing 25,656 square feet.

### **COMMITTEE REPORTS:**

**MJTC-** No report – next meeting scheduled for July 18<sup>th</sup>.

**MRPC-** Meeting involved a presentation regarding broadband installation heading west on Route 2A. Mr. Bodkin Jr. noted that if Lunenburg chose to establish a municipal light company entity, it could provide internet access. He suggested Ms. Benson correspond with the Board of Selectmen regarding such and the possibility of developing a zoning bylaw regarding same. Ms. Benson to obtain model bylaws.

**School Reconfiguration Committee-** Interviews in process for project manager position.

### **PLANNING DIRECTOR'S REPORT/NEW BUSINESS:**

**Performance Trans Inc., Leominster Shirley Road-** The company is considering purchasing the land and building occupied by Padula Brothers John Deere and is requesting Building Official's determination if the business is a change of use.

**790 Massachusetts Avenue-** The zoning of this property is in question. Mr. Rheault, Whitman & Bingham, has researched for the property owner, through Town archives, the Building Department and the Registry of Deeds, and determined the current Town Zoning Map to be incorrect for 790 Massachusetts Avenue. Whitman & Bingham plans to redraft a plan for the Planning Board, Building Official and the Town Assessor. Ms. Benson noted letter from Michael Sauvageau, Zoning/Building Official also stating there is an error in the Town's current Zoning Map. Files from both the Building and Planning Departments show the property is located in both commercial and limited business districts. The current Zoning Map shows the commercial district to be west of the actual location of the district. Mr. Rheault noted an ANR endorsed by the Planning Board in the 1980's showed the correct zoning, but through map revisions over the years the line became shifted to the left. Mr. Bakaysa would also like this reviewed by the Town.

### **OLD BUSINESS:**

**EPG Solar-** Development Plan Review (DPR) signed. The Board voted at its June 25<sup>th</sup> meeting to approve the DPR. Mr. Whalen called point of order for clarification as to whether this was an approval of the project or an approval of the Directives. Mr. Bakaysa responded the DPR directs the applicant to come back under the special permitting process.

#### **DEVELOPMENT STATUS REPORTS:**

**Asian Imperial, 5 Electric Avenue-** Project personnel: Pat Slattery- project architect; Steve Marsden- to oversee site work; Pete Pelletier- contractor; Jesse Johnson- reviewing engineer. Ms. Benson noted report from Mr. Slattery stating he has visited the site and discussed materials and methods related to footing installation with Mr. Pelletier. The project is proceeding well and all work completed to date is approved.

**Emerald Place at Lake Whalom, 10 Lakefront Avenue-** Ms. Benson responded to a previous inquiry from Mr. Bakaysa as to the over-55 units. All units are currently lease-to-own; none have been sold. Once a unit is sold, that unit can be counted toward the over-55 percentile, if owner qualifies. This cannot be determined until the time of sale. The developer estimates the over-55 percentile will be equal to one and one-half of a multi-level building (this would total approximately 45 units to meet the required percentile). As noted at last Board meeting, then Police Chief Bourgeois stated no over-abundance of police calls for Emerald Place. Noted Whitman & Bingham correspondence summarizing proposed updates to internal layout. Relocation of a villa from the beach area to the main park area, installation of trash compactor, and installation of dog park area. Plans in final stage for a "professional park" on the commercial parcel. Mr. Rheault, Whitman & Bingham presented the proposed changes stating that Emerald Place is marketing itself as a "pet-friendly community". Fifteen-gallon containers will be located throughout the site with doggie disposal bags available. There will also be a fenced dog park approximately 4,000 square feet with a four-foot high fence. Location of the pet area will be on the Leominster side of the site. Trash containers currently consist of two 10-yard containers for the entire project which are emptied twice weekly. Since the units are filling with residents, the developers want to install one 35-yard compactor. The developer anticipates the compactor will be emptied every 2-3 weeks. Compactor will be fenced. Ms. Benson noted water will be connected to the compactor. Waste management states the noise level is 65 decibels (60 decibels is normal conversation, 80 decibels is a noisy restaurant). Compactor will also have a misting component to eliminate odor. Recycling component will be located next to the compactor. Developer wants to lessen density on beach parcel in order to provide more recreational area requested by residents. This will involve relocating one duplex to the main Parcel A area. Mr. Bodkin Jr. concerned with relocation creating increased density on main parcel. Motion, Ms. Bilotta-Simeone to accept proposed change of villa relocation, trash compactor, and dog park, as presented, Second, Mr. Lockwood. Discussion ensued- Mr. Bodkin Jr. wanted to view on site. He was of the opinion that it is to the developers' financial benefit to relocate from the beach to the main parcel. He has concerns that at a future date, the developer will come before the Board with a modification to build a unit on the beach. Mr. Rheault noted that it is to the developers' disadvantage to relocate to the main parcel, as the unit will be priced less than if it remains located on the beach. This relocation is being done for the benefit of the residents; to provide more recreational space. Mr. Bodkin Jr. suggested the possibility of the developer putting a deed restriction on the beach property to eliminate the possibility of a unit being built there in the future. Mr. Rheault stated the developer does not want a deed restriction. Mr. Bodkin Jr. requested discussion be tabled in order to come up with specific language which would prohibit the developer, once the unit has been relocated from the beach, adding it back to the beach at a future date without coming before the Board for a modification. Mr. Lockwood withdrew his Second in deference to Mr. Bodkin Jr. desiring the opportunity to view on site. No other Board member would Second the Motion put forth by Ms. Bilotta-Simeone. Also out of respect to Mr. Bodkin Jr. Ms. Bilotta-Simeone amended her Motion to only accept the trash compactor and the dog park, Second, Mr. Saiia, all aye.

**Tri Town Landing, Youngs Road-** Building 3 construction can commence. Water agreement has been made with Fitchburg. Reviewing Engineer notes plans are consistent with approved plans and okay for construction.

**New England Farms, 134 Leominster Shirley Road-** Zoning Board of Appeals (ZBA) has granted a Special Permit for the use of a gasoline station and convenience store and Special Permit for Dimensional Variation for signs. The ZBA wanted the sign size reduced and also felt the number of signs requested to be excessive. ZBA granted the Special Permit with Conditions that Sign 3 be eliminated, and Signs 5 & 6 reduced to 18 square feet. (Project #64450, Sheet Number G01.00 on file in ZBA office.)

#### **MEETING SCHEDULE:**

July 16<sup>th</sup>, Public Hearing, EPG Solar, Town Hall  
July 23<sup>rd</sup>, Board Meeting, Ritter Memorial Building

#### **MEMBER INFORMATION AND ISSUES:**

Board Reorganization – MJTC Representative – Motion, Ms. Bilotta-Simeone to reappoint Mr. Saiia, Second, Mr. Bodkin Jr., Motion passed.

**ADJOURNMENT:** Motion, Ms. Bilotta-Simeone, Second, Mr. Saiia, adjourned 8:08 PM.